

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

JEREMY KANE JONES,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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No.: 2:20-CV-49-RLJ-CRW

MEMORANDUM OPINION

Petitioner, a federal inmate housed at the United States Penitentiary Coleman II in Coleman, Florida, filed this petition for habeas relief pursuant to 28 U.S.C. § 2241 concerning the calculation of his sentence. Having considered the petition and applicable law, this Court finds that this action should be transferred.

Under 28 U.S.C. § 2242, a habeas petition shall name as the respondent “the person who has custody over” the petitioner. 28 U.S.C. § 2242. Therefore, a § 2241 petition must be filed in the district having jurisdiction over the petitioner’s custodian. *See Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004). Jurisdiction attaches at the time the § 2241 petition is filed. *See White v. Lamanna*, 42 F. App’x 670, 671 (6th Cir. 2002). At the time he filed the instant petition, Petitioner was (and remains) incarcerated at the United States Penitentiary Coleman II, which is in Sumter County, Florida. This Court does not have jurisdiction over Petitioner’s current custodian in Florida and thus lacks jurisdiction to consider this petition.

Rather, jurisdiction lies in the United States District Court for the Middle District of Florida, *see* 28 U.S.C. § 89(b), and the Court finds that the interests of justice require that this action be transferred to that District. *See* 28 U.S.C. § 1631 (“Whenever a civil action is filed in a

court . . . and that court finds that there is a want of jurisdiction, the court shall, if it is in the interest of justice, transfer such action or appeal to any other such court in which the action or appeal could have been brought at the time it was filed or noticed[.]”).

Accordingly, the Clerk will be **DIRECTED** to **TRANSFER** this entire action to the United States District Court for the Middle District of Florida for further disposition.

AN APPROPRIATE ORDER WILL ENTER.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge